

REMARKS / DISCUSSION OF ISSUES

Claims 1, 11-12, and 19-35 are pending in the application.

The Office action has withdrawn claims 19-23, 25-31, and 33-35 from consideration. The applicants respectfully traverse this withdrawal with regard to claims 19-23 and 25-31.

The Office action asserts that claims 19-23 and 25-31 are "independent or distinct" from the invention originally claimed. However, 37 CFR 1.145 states:

"If, after an office action on an application, the applicant presents claims directed to an invention distinct from and independent of the invention previously claimed, the applicant will be required to restrict the claims to the invention previously claimed if the amendment is entered, subject to reconsideration and review as provided in sections 1.143 and 1.144".

That is, the claims must be both independent of *and* distinct from the invention previously claimed to support a restriction under 37 CFR 1.145.

Claims 19-23 are dependent upon claim 1, and thus cannot be said to be independent of claim 1. Therefore, the withdrawal of claims 19-23 cannot be supported.

Claim 1 as originally filed claimed a method of scanning lines in a display, the method including the steps of selecting lines to be scanned, scanning the lines and varying selection and scanning of lines so as to reduce tracking by a human eye of energy variations caused by scanning.

Claims 25-31 each claim a method of scanning lines in a display that includes selecting lines to be scanned, scanning the lines, and varying the selection and scanning of the lines using techniques that are disclosed in the specification for reduced tracking of energy variations caused by scanning, and cannot be said to be distinct from the invention originally claimed. Therefore, the withdrawal of claims 25-31 cannot be supported.

Because the withdrawal of claims 19-23 and 25-31 is improper, and the patentability of these claims have not been addressed in the final Office action, the applicants respectfully request that the finality of this Office action be withdrawn, and the claims be examined on their merits.

The Office action rejects claims 20-23 under 35 U.S.C. 112, first paragraph. The applicants respectfully traverse this rejection.

Claims 20-23 include incrementing a first index to lines in a first area of a display and decrementing lines in a second area of the display. In FIG. 5, at 36, a first index (RC2) to lines in a first area is decremented, and at 40, a second index (RC1) to lines in a second area is incremented. See also page 6, lines 22-34 of the applicants' specification.

Because the specification clearly supports the elements of claims 20-23, the rejection of claims 20-23 under 35 U.S.C. 112, first paragraph, should be withdrawn.

The Office action rejects claims 1, 11, and 32 under 35 U.S.C. 102(b) over Kuribayashi et al. (USP 5,615,027, hereinafter Kuribayashi). The applicants respectfully traverse this rejection.

Kuribayashi does not teach repeating the selecting and scanning of lines in each of a first and second area so as to reduce tracking by a human eye of energy variations caused by scanning, as specifically claimed in claims 1 and 32.

The Office action asserts that Kuribayashi's FIGs. 7E and 9 teach each of the elements of claims 1 and 11. The applicants respectfully disagree with this assertion.

The energy variations caused by scanning occur within each frame. Kuribayashi's FIG. 9 illustrates a display that is partitioned into three blocks, A, B, and C. The Office action associates block A with the applicants' first area, and B with the applicants' second area. Within each frame, as illustrated in FIG. 7E, Kuribayashi teaches scanning all of the lines in the first picture block (A), then scanning all of the lines in the second picture block (B); Kuribayashi does not teach repeatedly scanning one or more lines from block A, then one or more lines from block B, then one or

more lines from block A, then one or more lines from block B, etc., as specifically taught and claimed by the applicants in claims 1 and 32.

Because Kuribayashi fails to teach each of the elements of claims 1 and 32, the rejection of claims 1 and 32 under 35 U.S.C. 102(b) over Kuribayashi should be withdrawn.

Kuribayashi does not teach selecting a line between a first and a last line of a first set of lines of the display and thereafter alternately selecting and scanning a lower order line and a higher order line relative to the first selected line until all lines of the first set have been scanned, and selecting a line between a first and a last line of a second set of lines of the display and thereafter alternately selecting and scanning a lower order line and a higher order line relative to the first selected line of the second set until all lines of the second set of lines have been scanned, as claimed in claim 11.

The Office action provides a single reference to Kuribayashi's FIG. 7E, and fails to identify where, in FIG. 7E, Kuribayashi teaches each element of claim 11.

Kuribayashi's FIG. 7E does not illustrate alternately selecting and scanning a lower order line and a higher order line relative to the first selected line until all lines of the first set have been scanned. Kuribayashi's first set of lines include lines 1 through 5, and Kuribayashi's FIG. 7E illustrates a selection order of 1, 3, 2, 4, 5, which does not conform to an alternate selecting and scanning of a lower order line and a higher order line relative to a first selected line. Kuribayashi's second set of lines include lines 6 through 10, and Kuribayashi's FIG. 7E illustrates a selection order of 6, 8, 7, 10, 9, which does not conform to an alternate selecting and scanning of a lower order line and a higher order line relative to a second selected line.

Because the Office action fails to show where Kuribayashi teaches the elements of claim 11, the rejection of claim 11 should be withdrawn.

The Office action rejects claim 24 under 35 U.S.C. 103(a) over Kuribayashi in view of Sakumoto (USP 6,563,483). The applicants respectfully traverse this rejection.

Claim 24 is dependent upon claim 1. In this rejection, the Office action presumably relies upon Kuribayashi for teaching the elements of claim 1. As noted above, Kuribayashi fails to teach each of the elements of claim 1. Accordingly, the rejection of claim 24 under 35 U.S.C. 103(a) should be withdrawn.

In view of the foregoing, the applicants respectfully request that the Examiner withdraw the objection(s) and/or rejection(s) of record, allow all the pending claims, and find the application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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